

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**CR No. 05-1849 JH**

**DANA JARVIS,**

**Defendant.**

**DEFENDANT JARVIS' NOTICE OF SUPPLEMENTAL AUTHORITY IN  
SUPPORT OF HIS MOTION TO DISMISS FOR STRUCTURAL ERROR**  
**[Doc. 1076]**

COMES NOW the Defendant DANA JARVIS, by and through co-counsel of record, Jody Neal-Post, and hereby provides this Notice of Supplemental Authority to assist the Court regarding Mr. Jarvis' claims of structural error and critical stage violation remedies.

**Supplemental Authorities**

On January 2, 2008, the California Court of Appeals entered its published decision in *People v. Lawrence*, 2008 Cal. App. LEXIS 2. The decision is relevant to Mr. Jarvis' various claims of a right not to be tried, i.e. dismissal with prejudice, due to cumulative Sixth Amendment violations based upon *United States v. Gonzalez-Lopez*, and as to critical stage violations in the right to counsel being structural error requiring automatic reversal. *See e.g. id.* at \*26-37 ("§ 3 The Trial Court's Denial of Lawrence's Request is Structural Error Requiring Automatic Reversal.").

Respectfully submitted by:

***Electronically Filed***  
***/s/***

***January 7, 2008***

By \_\_\_\_\_  
Jody Neal-Post, Esq.  
317 Amherst SE  
Albuquerque, NM 87106  
(505) 268.7263

I hereby certify that a true and correct copy of  
the foregoing pleading was delivered to opposing  
counsel via the CM/ECF system this 7<sup>th</sup> of January, 2008.

***Electronically Filed***

\_\_\_\_\_  
Jody Neal-Post.